

**MINNESOTA BOARD OF MEDICAL PRACTICE
BOARD MEETING
2829 UNIVERSITY AVE. SE
MINNEAPOLIS, MN 55414-3246**

JULY 14, 2007

The Minnesota Board of Medical Practice met on its regularly scheduled meeting date, July 14, 2007, at its offices in Minneapolis, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Jon Thomas, M.D, MBA, President, Carl Smith, M.D., Vice President, Linda Van Etta, M.D., Secretary, Robert Brown, Ph.D., Jack Geller, Ph.D., Bradley Johnson, M.D., Kelli Johnson, James Langland, M.D., Tammy McGee, James Mona, D.O., Allen Rasmussen, and Gregory Snyder, M.D.

PUBLIC SESSION

Roll call was recorded by Robert Leach, Executive Director.

The minutes of the May 12, 2007, Board meeting were received and approved as circulated.

Jon Thomas, M.D., MBA, Board President, introduced new public Board member, Tammy McGee. Ms. McGee is the Vice President of Finance for the College of St. Catherine. Ms. McGee represents the Third Congressional District and replaces Kris Sanda.

Dr. Thomas presented a Board Service Plaque to Kris Sanda. Ms. Sanda served as a public member on the Board from 1999 to 2007. During her Board service, Ms. Sanda served on the Board's Complaint Review Committee and as Chair of the Public Policy Committee. Ms. Sanda also served as Secretary of the Board in 2005 and Vice President in 2006.

Leonard Lichtblau, Ph.D., gave a presentation to the Board on the self-study pharmacology course which he developed for use by the Board in its disciplinary and corrective action process. A question and answer session followed.

On recommendation of the Licensure Committee, physician applicants 1 – 264 and 338-339, of the agenda and 340 of the hand-out were approved for licensure subject to the receipt of all verification documents.

The issue of international terrorism was discussed in regard to an increase in international medical graduate applications to the Board. The fact that physicians had been recently identified as members of a terrorist cell in Europe prompted the discussion. It was decided that Board staff will contact the Federation of State Medical Boards (FSMB) to see if they have any plan in effect to deal with this issue. Mr. Leach will report back to the Board at the September 8, 2007, Board meeting. Ms. Jeanne Hoffmann, Licensure Supervisor, was asked to assess the international medical graduate data for the past couple of years to see if there is a change in the demographics of international medical graduate applications. Ms. Hoffman will report back to the Board at the September 8, 2007, Board meeting.

On recommendation of the Licensure Committee, physician applicants 265-270 of the agenda were approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 271-279 of the agenda were approved for licensure subject to the receipt of all verification documents.

On recommendation of the Athletic Trainer Advisory Council, athletic trainer applicants 280-286 of the agenda were approved for registration subject to the receipt of all verification documents.

On recommendation of the Physician Assistant Advisory Council, physician assistant applicants 287-311 of the agenda were approved for registration subject to the receipt of all verification documents.

On recommendation of the Respiratory Care Practitioner Advisory Council, respiratory care practitioner applicants 312 - 337 of the agenda were approved for registration subject to the receipt of all verification documents.

Dr. Johnson asked for approval of the Licensure Committee minutes. The minutes of the June 18, 2007, meeting of the Licensure Committee were received and approved as circulated.

Dr. Johnson informed the Board of legislation that passed changing the statutes:

- The legislature changed the statutory time period for completion of the United States Medical Licensing Examination (USMLE). It eliminated step 1 of the USMLE from the equation and provided that step 3 must be completed within five years of completion of step 2 or before the end of the applicant's residency program.
- The Board may grant an extension to the time period and to the number of attempts permitted to pass USMLE if the applicant is diagnosed with a medical illness during the USMLE process.
- The Federation Credentials Verification Service (FCVS) process will no longer be a requirement for international medical graduates: it is now optional.
- The Physician Assistant, Acupuncture, Respiratory Care Practitioner, and Traditional Midwife Advisory Councils will no longer have sunset terms.

Dr. Johnson stated that a taskforce will be working on draft rewording of the renewal application to clarify the four illness questions on the renewal application.

Mr. Leach went over the Board of Medical Practice's Biennial Budget for fiscal years 2008 – 2009.

Mr. Leach asked Board members if they would like an educational presentation on how the Board's budget is calculated and how it fits into the State's budgeting process. Board members agreed that they would like to hear this presentation.

Mr. Leach went over the Board's Fiscal Year 2007 Statistical Report. The number of individuals who obtained licenses to practice medicine (1,137) increased from fiscal year 2006 (993). Mr. Leach stated this is the greatest number of medical licenses issued to date. Once again, the number of physicians actively regulated by the Board increased from 17,939 in fiscal year 2006 to 18,265 in fiscal year 2007. In addition, there was growth in the numbers of all professions regulated by the Board. The number of complaints received by the Board in 2007 (829) is a 7.8% increase over 2006 (770). The number of disciplinary orders issued by the Board decreased significantly from 76 in fiscal year 2006 to 56 in fiscal year 2007.

Kelli Johnson, Board member, asked about the large increase in the number of complaints for prescribing, from 182 in fiscal year 2006 to 287 in fiscal year 2007 and the lower number of prescribing orders issued. Ms. Johnson asked if this could be a trend. Mr. Leach said staff could look at previous biennial reports to see if a trend could be identified. Any potential prescribing orders reflected in this report may not have reached the Board at this time. Dr. Thomas pointed out that the Board has an aggressive educational approach to educate physicians on prescribing issues.

Mr. Leach informed the Board that he will forward the Board's Fiscal Year 2007 Statistical Report to the Minnesota Medical Association in time for their annual meeting in September.

Mr. Leach presented the next agenda item, Public Citizen's 2006 Ranking of State Medical Boards. Mr. Leach stated that the Public Citizen Organization annually rates State Medical Boards by the number of disciplinary actions they have taken the previous year per 1000 physicians. Minnesota currently is ranked 49th out of 51 state medical Boards.

Board members and staff feel the Public Citizen's Research Group Ranking of the State Medical Boards' Serious Disciplinary Actions report is inaccurate and misleading for a number of reasons, and after a lengthy discussion, it was decided that Board staff should develop a statement for the website which details the various methods and programs utilized by the Board to protect the public.

Mr. Leach informed the Board that Board staff met with representatives of the Minnesota Medical Association (MMA) to discuss horizon issues for the coming year. In the course of the discussion, it was suggested that it would be in the mutual interest of both organizations if the Board's website contained hyperlinks to their website, and to

affiliate organizations. Mr. Leach requested that the Board pass the following resolution:

WHEREAS: The Minnesota Board of Medical Practice website exists to provide pertinent information and data to the Minnesota public and practice community.

WHEREAS: Both the Minnesota public and practice community have need of, and interest in, professional medical organization membership and credentialing information.

WHEREAS: Established, and universally recognized, professional medical organizations make this information and data available electronically on their websites.

THEREFORE BE IT RESOLVED: That the Minnesota Board of Medical Practice provide links on its website to the websites of the American Medical Association and its state and local affiliates; the American Osteopathic Association, and its state and local affiliates; and the American Board of Medical Specialties and its state and local affiliates.

Linda Lee Van Etta, M.D., Board Member, requested that a disclaimer be placed on the website stating that the MMA is not affiliated with the of the Board of Medical Practice and that the Board provides this link only as a source of information for the citizens of the State. Board members and Mr. Leach agreed to the disclaimer. Resolution passed unanimously.

Ms. McGee asked if the MMA would be providing a link to the Board. Mr. Leach thought it would be advantageous for members of the profession if a link was provided to the Board because of on-line renewals. Mr. Leach asked Karolyn Stirewalt, J.D., Attorney Representing the MMA, if she would discuss this issue with the MMA.

Mr. Leach stated that the September Board Meeting will be held on Saturday, 9/8/07, at 9:00 AM in the Fireside Room at Fitger's Inn in Duluth, Minnesota. Lunch for Board members and staff will be at Dr. Van Etta's house following the Board meeting. On Friday, 9/07/07, there will be a public reception at 5:30 PM. Dinner will follow for Board members and staff at 7:00 PM at Glensheen Historic Estate, with tours of the estate following dinner. Mr. Leach stated that he will contact the local media and the local medical society to alert them that the Board will be in Duluth for the September Board meeting.

The Board was informed of three Corrective Action Agreements entered since the last Board meeting.

Richard Auld, Ph.D., Assistant Executive Director presented the hand-out agenda item on the NASPER Requirement for a Board Workshop on Appropriate Prescribing of Controlled Substances for Pain Management. Minnesota Session Laws of 2007, Chapter 147, Article 11, Section 26 states: The Board of Medical Practice shall convene a work group to discuss the appropriate prescribing of controlled substances listed in Minnesota Statutes, section 152.02, subdivisions 3 and 4, and those substances defined by the Board of Pharmacy under Minnesota Statutes, section 152.02,

subdivisions 7, 8, and 12, for pain management and shall report to the legislature by December 15, 2007.

Mr. Auld stated that Alfred Anderson, D.C., MD., Board member, has agreed to Chair the Work Group. Mr. Auld stated that he and Dr. Anderson feel it is important to have members from pain management, oncology, psychiatry, and primary care in the Work Group. Mr. Auld informed the Board that they also have a volunteer from the Department of Labor and Industry. James Langland, M.D., Board member, volunteered to be on the Work Group.

Mr. Auld felt that the number of proactive things that the Board has done in the area of pain management, from holding workshops, newsletter articles, adoption of the FSMB's pain management statement, to the joint statement on pain management that was accomplished with the Board of Nursing and Board of Pharmacy should be included in the report to the legislature. Mr. Leach agreed.

Dr. Thomas asked Board members for recommendations for potential consultants for the Complaint Review Committee. The consultants can be from Minnesota or another state.

End of Public Session.

EXECUTIVE SESSION

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Jon Thomas, M.D, MBA, President, Carl Smith, M.D., Vice President, Linda Van Etta, M.D., Secretary, Robert Brown, Ph.D., Jack Geller, Ph.D., Bradley Johnson, M.D., Kelli Johnson, James Langland, M.D., Tammy McGee, James Mona, D.O., Allen Rasmussen, and Gregory Snyder, M.D.

GREGORY J. ABLER, M.D.

On recommendation of the Complaint Review Committee, the license of Dr. Abler was reinstated.

ARDEN M. BEACHY, M.D.

On recommendation of the Complaint Review Committee, the license of Dr. Beachy was reinstated.

PETER J. DORSEN, M.D.

On recommendation of the Complaint Review Committee, the license the Stipulation and Order for voluntary surrender signed by Dr. Dorsen was approved.

ANN K. FRIEDMANN, M.D.

On recommendation of the Complaint Review Committee, the license of Dr. Friedmann was reinstated.

NANCY A. KERMATH, M.D.

On recommendation of the Complaint Review Committee, the Committee Order Amending the Board's Stipulation and Order for restricted license signed by Dr. Kermath was approved.

JEFFREY C. MORGAN, M.D.

On recommendation of the Complaint Review Committee, the license of Dr. Morgan was reinstated.

NANCY L. MOYER, M.D.

On recommendation of the Complaint Review Committee, the license of Dr. Moyer was reinstated.


MILTON H. SEIFERT, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for restricted license signed by Dr. Seifert

GEORGE G. VUCKOVIC, P.A.

On recommendation of the Complaint Review Committee, the registration of Mr. Vuckovic was reinstated.

There being no further business, the meeting was adjourned.



Linda Van Etta, M.D.
Secretary
MN Board of Medical Practice

August 25, 2007
Date

